

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
January 27, 2000**

CASE NO: TO-2000-426

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

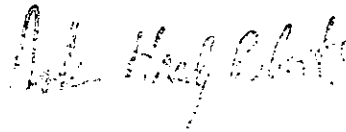
Paul G. Lane/Leo J. Bub
Anthony K. Conroy/Katherine C. Swaller
Southwestern Bell Telephone Company
One Bell Center, Room 3518
St. Louis, MO 63101

Mary Ann (Garr) Young
William D. Steinmeier, P. C.
P. O. Box 104595
Jefferson City, MO 65102-0537

Glenn S. Richards
Fisher Wayland Cooper Leader & Zaragoza L.L.P
2000 Pennsylvania Ave. N. W. Suite 400
Washington, D.C. 20006

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copies:
To all interexchange and local exchange telecommunications companies.

OF THE STATE OF MISSOURI

In the Matter of the Application of Reitz)
Rentals, Inc. d/b/a SouthWest TeleConnect)
for Approval of a Resale Agreement under) Case No. TO-2000-426
the Telecommunications Act of 1996.)

**ORDER DIRECTING NOTICE, DIRECTING FILING, AND MAKING
SOUTHWESTERN BELL TELEPHONE COMPANY A PARTY**

On January 14, 2000, Reitz Rentals, Inc. d/b/a SouthWest TeleConnect (SW TeleConnect) filed an application with the Commission for approval of a resale agreement (the Agreement) between SW TeleConnect and Southwestern Bell Telephone Company (SWBT) under the provisions of the federal Telecommunications Act of 1996 (the Act). The applicant states that the Agreement complies with Section 252(e) of the Act in that it is not discriminatory to nonparty carriers and is consistent with the public interest. The applicant requests expeditious approval of the Agreement.

Although SWBT is a party to the Agreement, it did not join in the application. Because SWBT is a necessary party to a full and fair adjudication of this matter, the Commission will add SWBT as a party to this case.

The Act provides that an interconnection or resale agreement must be approved unless the state commission finds that the agreement discriminates against a telecommunications carrier not a party to the Agreement, or that implementation of the agreement is not consistent

with the public interest, convenience, and necessity. 47 U.S.C. § 252(e).

The Commission finds that proper persons should be allowed 20 days from the issuance of this order to file a motion for hearing or an application to participate without intervention. Participation may be permitted for the limited purpose of filing comments addressing whether this Agreement meets the federal standards for approval of interconnection agreements. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2D 494, 496 (Mo. App. 1989).

Section 252(e)(4) of the Act provides that if the Commission has not approved an agreement within 90 days after submission, the agreement shall be deemed approved. Therefore, the Commission will proceed with this case expeditiously and, if there are no requests for a hearing, relief may be granted based on the verified petition. The Commission finds that notice of this application should be sent to all interexchange and local exchange telecommunications companies.

Commission rule 4 CSR 240-2.060(1) requires all applications to include the following information:

(A) . . . street and mailing address of the principal office or place of business of applicant;

(B) a brief statement of the character of the business performed by each applicant;

The application of SW TeleConnect fails to comply with Commission rule 4 CSR 240-2.060(1)(A) and (B) because it neither includes the street

and mailing address of the principal office nor a brief statement of character of business performed by the applicant. SW TeleConnect's application for approval of a resale agreement under the Telecommunications Act of 1996 is, therefore, deficient. The Commission will direct SW TeleConnect to comply with Commission rule 4 CSR 240-2.060(1)(A) and (B).

The Commission notes that as a signatory counsel entering an appearance on behalf of SW TeleConnect, Glenn S. Richards, an attorney admitted into the Washington, D.C. bar, has complied with Commission rule 4 CSR 240-2.040(3) by including the name of the state in which the attorney is licensed and the identifying number used by the licensing agency following counsel's signature. However, counsel must also comply with Commission rule 4 CSR 240-2.040(6)(C) if counsel wishes to practice before the Commission. Commission rule 4 CSR 240-2.040(6)(C) requires

1. The visiting attorney shall file and going in a separate pleading a statement identifying each court of which that attorney is a member and certifying that neither the visiting attorney nor any member of the attorney's firm is disqualified to appear in any of these courts; and

2. The statement shall also designate some member in good standing of the Missouri Bar having an office within Missouri as associate counsel; and

3. The designated Missouri attorney shall simultaneously entering appearance as attorney of record.

It is noted that Mary Ann (Garr) Young, a Missouri attorney, has entered her appearance as an attorney of record representing SW TeleConnect. The Commission expects counsel to comply with Commission

rule 4 CSR 240-2.040(6)(C) before further practice before the Commission.

IT IS THEREFORE ORDERED:

1. That the Records Department of the Commission shall send notice to all interexchange and local exchange telecommunications companies.

2. That Southwestern Bell Telephone Company is made a party to this case.

3. That Reitz Rentals, Inc. d/b/a SouthWest TeleConnect shall file a pleading complying with Commission rule 4 CSR 240-2.060(1)(A) and (B) no later than February 7, 2000.

4. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than February 16, 2000 with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Mary Ann (Garr) Young
William D. Steinmeier, P.C.
Post Office Box 104595
2031 Tower Drive
Jefferson City, Missouri 65110-4595

Glenn S. Richards
Fisher Wayland Cooper Leader & Zaragoza L.L.P.
2000 Pennsylvania Avenue, N.W., Suite 400
Washington, D.C. 20006

and:

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

5. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this agreement and giving the reasons therefor no later than 3:00 p.m. on March 24, 2000.

6. That this order shall become effective on February 7, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

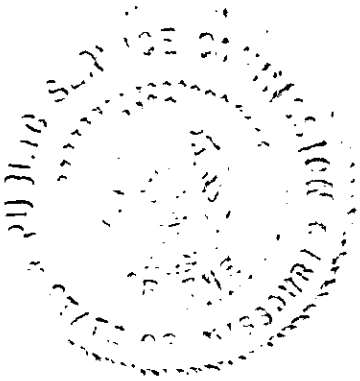
Shelly A. Register, Regulatory Law
Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1),
(November 30, 1995) and Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 27th day of January, 2000.

**STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 27TH day of January 2000.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge